

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION**

IN RE: : **Case No. 15-50036**
:
LANCELOT P. WHARWOOD : **Chapter 13**
MARCIA M. MCKOY :
Debtor(s) : **Judge Rebecca B. Connelly**

LANCELOT P. WHARWOOD : **ADV. PRO. NO. 15-05018**
MARCIA M. MCKOY :
:
Plaintiff, :
:
v. :
:
JP MORGAN CHASE BANK, N.A. :
:
and :

**U.S. BANK NATIONAL ASSOCIATION,
AS TRUSTEE SUCCESSOR IN
INTEREST TO BANK OF AMERICA,
NATIONAL ASSOCIATION AS
TRUSTEE AS SUCCESSOR BY MERGER
TO LASALLE BANK NATIONAL
ASSOCIATION, AS TRUSTEE FOR
CERTIFICATEHOLDERS OF BEAR
STEARNS MORTGAGE FUNDING
TRUST 2006-SL3, MORTGAGE-BACKED
CERTIFICATES, SERIES 2006-SL3**

Defendant(s).

ORDER ON COMPLAINT TO AVOID LIEN

This matter is before the Court upon the Plaintiffs' Motion for Entry of Judgment by Default as to Defendant JP Morgan Chase Bank, N.A. and U.S. Bank National Association as Trustee, Successor in Interest to Bank of America, National Association as Trustee As Successor by Merger to LaSalle Bank National Association, as Trustee for Certificateholders of Bear Stearns Mortgage Funding Trust 2006-SL3, Mortgage-Backed Certificates, Series 2006-SL3 (the "Defendants") the Court having determined

that Defendants have failed to answer or otherwise defend against the Complaint, and upon this Court's finding that the allegations of the Complaint are sufficient to state a good claim for relief and that proper service of the Summons and Complaint has been made, it is

ORDER, ADJUDGED AND DECREED that at such time as a discharge is entered in this case, the Deed of Trust dated July 28, 2006 recorded among the Rockingham County, Virginia land records as Instrument No. 2006-00024957 (the "Deed of Trust"), shall be declared void and released as to the as to the Plaintiff's residence located at 450 Quail Run Drive, Elkton, Virginia 22827 (the "Property").

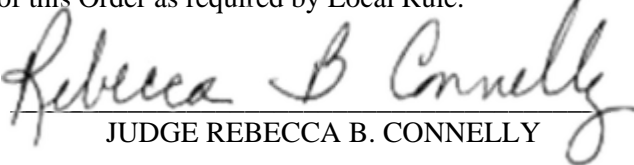
It is further ORDERED, ADJUDGED AND DECREED that Plaintiff shall file a copy of this Order with the Clerk of the Court for the Circuit Court of Rockingham County, Virginia. Upon receipt of the Order of Discharge in Main Case No. 15-50036, the Plaintiff shall also file a copy of the Order of Discharge with the Clerk of Court for Circuit Court of Rockingham County, Virginia.

It is further ORDERED, ADJUDGED AND DECREED that any claim of Defendant filed with respect to the debt secured by the Deed of Trust shall be treated as an unsecured claim under the Plaintiff's Chapter 13 Plan, subject to review and additional objections by the Chapter 13 Trustee;

It is further ORDERED, ADJUDGED AND DECREED that this Order is subject to 11 U.S.C. §348 and 11 U.S.C. §349, so that if the captioned bankruptcy case is dismissed or converted to another chapter, the lien avoided in the Order is reinstated and reverts the real estate interest as it was immediately before the commencement of the bankruptcy case.

The Clerk is directed to forward copies of this Order as required by Local Rule.

ENTERED: 8/27/15


JUDGE REBECCA B. CONNELLY

I ASK FOR THIS:

/s/ Beth C. Driver

HOOVER PENROD, PLC

Hannah W. Hutman (VSB No. 79635)

Beth C. Driver (VSB No. 83838)

342 S. Main Street

Harrisonburg, VA 22801

540-433-2444

hhutman@hooverpenrod.com

SEEN AND AGREED:

/s/ Herbert Beskin (with email authority)

Herbert Beskin, Chapter 13 Trustee